

**REMARKS/ARGUMENTS**

**I. INTERVIEW**

Applicant thanks Examiner Gross for taking the time to conduct the telephone conferences on January 14<sup>th</sup> and 15<sup>th</sup>, 2009, to discuss the status of the application. Proposed amendments to the claims and the specification that would place the application in condition for allowance were discussed. Although the Applicant disagrees with the Examiner's assertion that the claims are not clear, Applicant has agreed to amend the claims and specification as suggested by the Examiner solely in an effort to expedite the prosecution of the case.

This supplementary amendment incorporates the amendments as discussed during the telephone conference with Examiner Gross.

**II. STATUS OF THE CLAIMS**

With entry of this amendment, claim 85 is canceled and claims 90-92 and 98-101 are pending. Claims 92, 100, and 101 are currently amended. Support for the amendments can be found throughout the specification and claims as originally filed. In particular, claim 92 is presently amended to clarify the claim language that the antibody of the first interactor domain, or the antibody of the ligand comprising an antibody fused to a second monomer of a heterodimerizing helix protein, is a single chain antibody fragment (scFv). Support for the amendment is provided by Figure 11.

Claim 100 is amended to clarify the claim language. Specifically, claim 100 is amended to clarify that the circularly permuted TEM-1 β-lactamase protein is joined at the original amino and carboxy termini, and to replace the term "fragment" with "portion" and to clarify that the C-terminus and the N-terminus are the "new" termini after circular permutation of the protein. Support for these amendments is inherent in the teaching so the specification, and can also be found at page 11, line 31 to page 12, line 2 of the specification. Claim 100 is also amended to clarify that the solvent exposed loop between amino acid residues Thr 195 and Ala 202 corresponds to residues 170-177 of SEQ ID NO:2. Support for the amendment can be found in SEQ ID NO:2, which is the same sequence as shown in figure 2, but differs in the numbering to comply with the sequence listing rules. Claim 100 is also amended to clarify that functional

reconstitution of the circularly permuted enzyme is optionally through a ligand. Support for this amendment can be found, for example, in Figure 1A and the description to Figure 1A at page 8, line 9 of the specification.

Claim 101 is merely amended so as to be consistent with the amendments made in claim 100. No new matter is added with entry of this amendment.

### **III. AMENDMENTS TO THE SPECIFICATION**

As requested by the Examiner, we have amended the brief description to Figure 1A so as to be consistent with what is presented in the figure. Without acquiescing to the Examiner's allegation, Applicant has amended the specification as suggested by the Examiner merely to advance the prosecution of the case to expedite an allowance. No new matter is added with the amendment.

### **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,  
/Robert C. Burrows/

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